

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 438 By Representative Pearson**

June 17, 2010

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 438 by Representative Pearson, recommend the following concerning the Engrossed bill:

1. That the Senate Floor Amendments proposed by Senator Duplessis and adopted by the Senate on June 8, 2010, be rejected.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 46:1095(B)(1) and (C) and to"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" and before "investments" insert "hospital service districts; to authorize and provide relative to"

AMENDMENT NO. 3

On page 1, line 3, delete "to authorize and provide relative " and at the beginning of line 4 delete "to investments of such entities;" and insert in lieu thereof "to provide relative to the appointment and term of service of certain members of certain hospital service district boards of commissioners;"

AMENDMENT NO. 4

On page 2, below line 16, add:

"Section 2. R.S. 46:1095(B)(1) and (C) are hereby amended and reenacted to read as follows:

§1095. Board of commissioners; membership; appointment; terms; compensation; removal

\* \* \*

B. Each commission shall be composed as follows:

(1) Seven members shall be appointed by the chief executive officer of the parish ~~subject to the approval of the parish governing authority~~. Each commissioner shall demonstrate expertise in one or more of the following areas: medical litigation, fundraising and philanthropy, accounting, business development, indigent care, community relations, government relations, women's health, minority health, geriatric medicine, nursing, any other medical field, or consumer advocacy.

\* \* \*

C.(1) The members serving pursuant to ~~Paragraph (B)(1)~~ Paragraphs (B)(1) and (2) of this Section shall serve ~~six-year terms after initial terms as provided in this Paragraph. One member shall serve an initial term of two years, two shall serve three~~

~~years, three shall serve four years, and one shall serve six years, all as determined by lot at the first meeting of the board.~~

~~(2) The member serving pursuant to Paragraph (B)(2) of this Section shall serve a six-year term after an initial term of one year. at the pleasure of the chief executive officer of the parish.~~

~~(3)~~ (2) The members serving pursuant to Paragraphs (B)(3) through (7) of this Section shall serve during their terms of office.

(4) (3) Any vacancy in the membership of the commission occurring by reason of the expiration of term of office, death, resignation, disqualification, or otherwise shall be filled in the same manner as the original appointment within thirty days of such vacancy. If the appointing authority fails to fill the vacancy within thirty days of such vacancy, the remaining members of the commission shall appoint an interim successor to serve on the commission until the position is filled by the appointing authority.

\* \* \*

Section 3. It is the intent of the legislature in enacting this Act that for purposes of R.S. 24:175 the provisions of Section 1 of this Act shall be severable from the provisions of Section 2 of this Act, and that the provisions of Section 1 of this Act shall be given effect if Section 2 of this Act or any provision thereof is held invalid."

Respectfully submitted,

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Representative J. Kevin Pearson

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Senator Jean-Paul J. Morrell

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Representative Regina Barrow

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Senator Ann Duplessis

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Representative Stephen E. Pugh

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Senator Ben W. Nevers